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Agenda items 118 and 62 (a)

Programme budget for the biennium 2008-2009

Elimination of racism and racial discrimination: elimination of racism and racial discrimination, xenophobia and related intolerance

International Convention on the Elimination of All Forms of Racial Discrimination

Programme budget implications of draft resolution A/C.3/63/L.53/Rev.1

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 45th meeting, on 21 November 2008, the Third Committee adopted revised draft resolution A/C.3/63/L.53/Rev.1 by a vote of 178 to none, with no abstentions. A separate vote was taken on operative paragraph 13 of the revised draft resolution by a vote of 165 to 1, with 8 abstentions. Statements in explanation of vote were made by several delegations. The Committee had before it a statement of the programme budget implications contained in document A/C.3/63/L.72.

II. Requests contained in the draft resolution

2. Under the terms of operative paragraphs 12, 13, 14, 18 and 27 of revised draft resolution A/C.3/63/L.53/Rev.1, the General Assembly would:

(a) Note the persisting backlog of reports of States parties waiting for consideration, which prevents the Committee on the Elimination of Racial Discrimination from considering the periodic reports of States parties in a timely manner and without undue delay, as well as the request of the Committee that the

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General Assembly authorize an extension of its meeting time, which is currently only six weeks per year;

(b) Decide to authorize the Committee to meet for an additional week per session, as a temporary measure, with effect from August 2009 until 2011;

(c) Also decide to assess the situation regarding the meeting time of the Committee at its sixty-fifth session on the basis of an evaluation made by the Office of the United Nations High Commissioner for Human Rights, taking into account a more comprehensive approach towards the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions;

(d) Request the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

(e) Invite the Chairman of the Committee on the Elimination of Racial Discrimination to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its sixty-fifth session under the item entitled "Elimination of racism and racial discrimination".

III. Relationship of the requests to the programme of work for the biennium 2008-2009

3. The requests relate to programme 1, General Assembly and Economic and Social Council affairs and conference management; subprogramme 2, Supporting human rights bodies and organs, of programme 19, Human rights; and subprogramme 4, Support services, of programme 24, Management and support services, of the biennial programme plan and priorities for the period 2008-2009.[1] They also fall under section 2, General Assembly and Economic and Social Council affairs and conference management; section 23, Human rights; and section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009.[2]

IV. Activities by which the proposed requests would be carried out and additional requirements for the biennium 2008-2009

4. Should the General Assembly adopt draft resolution A/C.3/63/L.53/Rev.1, it is estimated that additional requirements for the bienniums 2008-2009 and 2010-2011 could arise over and above the current provisions in the programme budget for the biennium 2008-2009 to provide for: staff costs; daily subsistence allowances of members of the Committee; and conference-servicing requirements for 10 additional meetings in August 2009, which would be additional to the number listed in the calendar of conferences and meetings for 2009. Moreover, it is estimated that 20 additional meetings per year of the Committee would be held in the biennium 2010-2011.

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[1] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 6* (A/61/6/Rev.1).

[2] Ibid., *Sixty-second Session, Supplement No. 6* (A/62/6/Add.1).

5. In regard to operative paragraph 13 of draft resolution A/C.3/63/L.53/Rev.1, the Committee on the Elimination of Racial Discrimination, was informed orally, at its seventy-third session, that an estimated $437,800 would be required for 2009, pursuant to its request to the Secretariat to consider all possible measures to enable it to meet for one additional week at its seventy-fifth session to be held in August 2009.

6. Bearing in mind the terms of operative paragraph 13 of the draft resolution, under which the General Assembly would decide to authorize the Committee to meet for an additional week per session (two additional weeks of sessional meetings per year) in 2010 and 2011, it is anticipated that the additional meeting time would allow the Committee to consider approximately six additional reports per year and thus to increase the number of reports considered per year by 25 per cent, which would help to prevent a further growth of the current backlog, referred to in operative paragraph 12 of the draft resolution.

7. The additional meetings of the Committee would require interpretation services in all six official languages. Summary records would also be required for all of the additional meetings. The additional meetings would require an additional 160 pages of pre-session documentation in four languages (English, French, Russian and Spanish) and 30 pages of post-session documentation in all six official languages for 2009; and it is anticipated that 360 pages of pre-session documentation in four languages and 60 pages of post-session documentation in all six official languages per year would be required during the biennium 2010-2011.

8. It is estimated that additional staffing requirements at the P-2 level for six work months per year during the biennium 2010-2011 would be required under general temporary assistance.

9. With regard to operative paragraph 18 of the draft resolution, the attention of the Committee is drawn to the provisions of section VI of General Assembly resolution 45/248 B, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

10. With regard to operative paragraph 27 of the draft resolution, provisions are included in the programme budget for the biennium 2008-2009 for the presentation of an oral report by the Chairman on the work of the Committee and for the Chairman's engagement in an interactive dialogue with the General Assembly.

11. The additional requirements for the activities outlined in paragraphs 4 and 5 above (estimated at $437,800 for 2009), are enumerated in the table below.

12. Also enumerated below are the net requirements, totalling $1,872,400, for the 40 additional meetings of the Committee during the biennium 2010-2011, which would provide for daily subsistence allowances for the members of the Committee; staff costs under general temporary assistance at the P-2 level for six work months in each year; and conference-servicing costs.

Additional requirements

(United States dollars)

Budget section	*2009*	*2010-2011*
2. General Assembly and Economic and Social Council affairs and conference management: meeting servicing, interpretation and documentation	379 900	1 519 400
23. Human rights: daily subsistence allowances for the members of the Committee	54 200	216 800
Staff costs (1 P-2 for six work months per year)		121 600
Subtotal (Sect. 23)	**54 200**	**338 400**
28E. Administration, Geneva: support services	3 700	14 600
35. Staff assessment	—	14 000
Income section 1, Income from staff assessment	—	(14 000)
Total	**437 800**	**1 872 400**

V. Modifications required in the programme budget for the biennium 2008-2009

13. Adoption of the draft resolution by the General Assembly would give rise to the following modifications of the programmed outputs under section 23, Human rights, of the programme budget for the biennium 2008-2009 (A/62/6 (Sect. 23 and Corr.1)), arising from the amendment of the outputs already approved in respect of substantive servicing of the Committee on the Elimination of Racial Discrimination: in paragraph 23.65 (a) (xv), the words "substantive servicing of meetings Committee (120)" would be replaced by the words "substantive servicing of meetings of the Committee (130)".

14. The relevant outputs pertaining to the sessions of the Committee for the biennium 2010-2011 would be reflected in the proposed programme budget for that biennium.

VI. Potential for absorption and contingency fund

15. No provisions have been made under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009 for servicing the one week of additional meetings of the Committee in 2009.

16. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditure derived from legislative mandates not provided for in the programme budget. Under that procedure, if additional expenditures were proposed that exceeded the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

17. The Secretariat has reviewed the approved programme of work under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009. It is considered that requirements indicated in the table above for 2009 under section 23, Human rights, for daily subsistence allowances for the members of the Committee ($54,200) and section 28E, Administration, Geneva, for conference-servicing support costs ($3,700) could be met from within the appropriations under those sections of the programme budget for the biennium 2008-2009.

18. Concerning the additional requirements of up to $379,900 that would be required under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2008-2009, it is not possible at this stage to identify activities within section 2 of the programme budget for the biennium 2008-2009 that could be terminated, deferred, curtailed or modified during the biennium in order to meet these additional conference-servicing requirements of $379,900; hence, they would represent a charge against the contingency fund requiring additional appropriations under the programme budget for the biennium 2008-2009, to be approved by the General Assembly at its current session. A consolidated statement on the use of the contingency fund, reflecting the demand for additional requirements stemming from all statements of programme budget implications and revised estimates will be submitted by the Secretary-General to the Assembly towards the end of the main part of its sixty-third session together with his proposals on the extent of utilization of the contingency fund for those additional requirements.

VII. Conclusion

19. **Should the General Assembly adopt revised draft resolution A/C.3/63/L.53/Rev.1, it should be noted that the overall impact of the proposals on the programme budget for the biennium 2008-2009, as indicated in paragraphs 17 and 18 above, would amount to net additional requirements of $379,900 under section 2, General Assembly and Economic and Social Council affairs and conference management. The extent to which an additional appropriation for the biennium 2008-2009 was required would be determined in the context of the consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2008-2009 to be submitted to the General Assembly towards the end of the main part of its sixty-third session together with the proposals on the utilization of the contingency fund for those additional requirements.**

20. **Should the General Assembly adopt revised draft resolution A/C.3/63/L.53/Rev.1, the net requirements for the biennium 2010-2011, totalling $1,872,400, that would be required under section 2, General Assembly and Economic and Social Council affairs and conference management ($1,519,400); section 23, Human rights ($338,400); section 28E, Administration, Geneva ($14,600); and section 35, Staff assessment ($14,000), to be offset by an equivalent amount under income section 1, Income from staff assessment, would be dealt with in the context of the proposed programme budget for the biennium 2010-2011.**